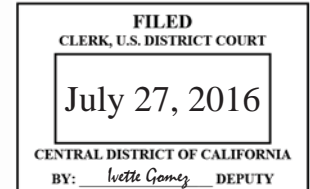


UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

Case No. 8:11-CV-01062 JVS (ANx)



INFOSPAN, INC.,

Plaintiff,

v.

EMIRATES NBD BANK PJSC,

Defendant.

*Reviewed 7.26.16 JVS*

*S = sustained  
O/R = overruled*

DEPOSITION OF AHMAD ZAHID

Washington, D.C.

October 14, 2014

COURT'S  
RULING ON:

DEFENDANT EMIRATES NBD BANK  
PJSC DESIGNATIONS and COUNTER  
COUNTER DESIGNATIONS

PLAINTIFF INFOSPAN INC.'S COUNTER  
DESIGNATIONS

Reported by: Mary Ann Payonk

Job No. 85161

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October 14, 2014

9:00 a.m.

Deposition of AHMAD ZAHID, held at the law  
offices of Latham & Watkins LLP, 555 Eleventh Street, NW,  
Washington, D.C., pursuant to Notice before Mary Ann  
Payonk, Nationally Certified Realtime Reporter and  
Notary Public of the District of Columbia, Commonwealth  
of Virginia, States of Maryland and New York.

1 APPEARANCES:

2 ON BEHALF OF PLAINTIFF INFOSPAN, INC.:

3 JONATHAN SHAW, ESQUIRE

4 BOIES, SCHILLER & FLEXNER

5 5301 Wisconsin Avenue NW

6 Washington, D.C. 20015

7

8 ON BEHALF OF DEFENDANT EMIRATES NBD BANK PJSC:

9 NIMA MOHEBBI, ESQUIRE

10 LATHAM & WATKINS

11 355 South Grand Avenue

12 Los Angeles, CA 90071

13

14 ALSO PRESENT:

15 Jordan Mummert, Legal Video Specialist

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1 THE VIDEOGRAPHER: This is the start of the  
2 tape labeled number 1 of the videotaped deposition of  
3 Ahmad Zahid in the matter InfoSpan, Inc. versus Emirates  
4 NBD Bank PG -- PJSC.

5 This deposition is taking place at 555 11th  
6 Street Northwest, Washington, D.C. on October 14, 2014,  
7 at approximately 9:43 a.m.

8 My name is Jordan Mummert from  
9 TSG Reporting, Inc. I'm the legal video specialist.

10 The court reporter is Mary Ann Payonk, in  
11 association with TSG Reporting.

12 Will the counsel please introduce  
13 yourselves?

14 (Whereupon, counsel placed their appearances  
15 on the video record.)

16 AHMAD ZAHID,

17 called as a witness, having been duly  
18 sworn, was examined and testified as  
19 follows:

20 EXAMINATION

21 BY MR. MOHEBBI:

22 Q. Good morning, Mr. Ahmad. How are you?

23 A. Good morning.

24 Q. Could you please state your full name for  
25 the record, please?

1 A. Yes. My last name is Ahmad, A-H-M-A-D. The  
2 first name is Zahid, Z-A-H-I-D.

3 Q. Now, I notice that you referred to yourself  
4 as Ahmad Zahid.

5 A. Yes.

6 Q. Is -- is that -- is that how you typically  
7 refer to yourself?

8 A. Yes.

9 Q. Okay. Do you have any nicknames?

10 A. Yeah, Jazy.

11 Q. Any other ones?

12 A. No, that's all.

13 Q. Where do you currently work?

14 A. Dubai.

15 Q. What company do you work for --

16 A. It's --

17 Q. -- in Dubai?

18 A. -- Noble International Group.

19 Q. How long have you been there?

20 A. Ten years.

21 Q. It -- how long -- so you've been in Dubai  
22 for ten years?

23 A. Yes, ten and a half.

24 Q. Where did you live before that?

25 A. Saudi.



1 Q. Whereabouts? Did -- did you live in Saudi  
2 for your entire life?

3 A. Yeah.

4 Q. And you're talking about Saudi Arabia?

5 A. Saudi Arabia, yes.

6 Q. Okay. Did you ever live in Pakistan?

7 A. No.

8 Q. Okay. You're represented by counsel here  
9 today; correct?

10 A. Yes.

11 MR. MOHEBBI: I'm going to mark as  
12 Exhibit 200, which is the next one in succession -- and  
13 you can tell me if I'm wrong, Mr. Shaw, but I think  
14 we're on 200.

15 MR. SHAW: I think that's what the email  
16 trail established yesterday.

17 MR. MOHEBBI: Yeah. This exhibit is a  
18 Notice of Deposition on Mr. Ahmad Zahid. Please keep a  
19 stack there running after I hand these to you.

20 (Exhibit No. 200 was marked for  
21 identification.)

22 BY MR. MOHEBBI:

23 Q. Take a moment to look at this document if  
24 you'd like.

25 A. Yeah.

1 Q. Have you seen this before?

2 A. Trying to recall. I don't recall. I don't  
3 think so.

4 Q. You don't recall seeing this document?

5 A. Yeah.

6 Q. Okay. This is just the Notice of Deposition  
7 to which you're appearing today.

8 A. Okay.

9 Q. Do you understand that you're appearing --

10 A. Yes.

11 Q. -- pursuant to this Notice of Deposition --

12 A. Yes.

13 Q. -- today?

14 A. Yes.

15 Q. All right.

16 THE REPORTER: Sir, I'm going to ask you to  
17 do one other thing for me and that is wait until the  
18 question is completely done before you say anything or  
19 begin your answer; otherwise, we'll have a problem with  
20 the transcript.

21 MR. MOHEBBI: Could you turn off your cell  
22 phone, please?

23 THE WITNESS: Yeah.

24 MR. MOHEBBI: Thank you.

25 BY MR. MOHEBBI:

1 Q. Have you ever been deposed before,  
2 Mr. Ahmad?

3 A. No.

4 Q. Did you do anything to prepare for today's  
5 deposition?

6 A. Yesterday, yes. Mr. Shaw in the morning,  
7 just small -- you -- you know, because it is my first  
8 time in doing a deposition and he just told me how  
9 things worked and --

10 MR. SHAW: We're not going to get into the  
11 substance of what we discussed.

12 BY MR. MOHEBBI:

13 Q. I don't want to hear any -- any  
14 attorney-client communications that you discussed. Did  
15 you anything to prepare the deposition?

16 A. No.

17 Q. Okay. Did you discuss your deposition with  
18 Mr. Farooq Bajwa?

19 A. No.

20 Q. When was the last time you spoke with  
21 Mr. Bajwa?

22 A. It was last week.

23 Q. What did you say to him?

24 A. Just told him that I'm coming for the  
25 deposition.



1 Q. What did he say to you?

2 A. He said yes, go ahead.

3 Q. Is -- was that the entire substance of the  
4 conversation?

5 A. He just said that -- he said you're going  
6 there for the first time and, you know, whatever have  
7 you -- in the past, whatever happened, just tell them,  
8 and it's very simple. Tell them the fact what happened  
9 and where we were heading and everything.

10 Q. Okay. What do you mean by that?

11 A. Because he told me that you can't -- because  
12 it's my first time I'm doing a deposition for InfoSpan,  
13 and even in my entire life. Tell them whatever happened  
14 in the past, and that's all.

15 Q. And did he tell you -- did he talk to you  
16 about what happened in the past, what you just referred  
17 to?

18 A. No, he told me that whatever -- whatever  
19 happened when he was working with us, just tell them  
20 whatever they ask you about.

21 Q. What do you mean by "us"?

22 A. You guys, meaning the lawyers.

23 Q. Okay.

24 A. Whatever question they ask you, just tell  
25 them truth what you have.

1 Q. So he told you to tell the truth?

2 A. Yes.

3 Q. Okay. Did he say anything else?

4 A. No.

5 Q. Was that the only time you talked to him?

6 A. Yes.

7 Q. When was the last time before that that you  
8 talked to him?

9 A. You know, Eid holidays, just wish him on  
10 Eid.

11 Q. When is that?

12 A. This was sometime in September.

13 Q. Okay. Those two times are the only times  
14 you talked to Mr. Bajwa in the past two months?

15 A. Yes.

16 Q. What about before that?

17 A. Usually, we speak only when we have some  
18 occasions or before me --

19 THE REPORTER: I'm sorry, some?

20 THE WITNESS: Whenever we have holiday  
21 occasions or something.

22 THE REPORTER: I -- I'm not understanding  
23 the words.

24 MR. SHAW: He said "occasions."

25 THE REPORTER: Occasions?

1 THE WITNESS: Yeah.

2 THE REPORTER: Thank you.

3 A. And lastly, what he told me a couple -- I --  
4 I don't recall the date exactly when he told me first  
5 time that you have to come down, you know, might will  
6 call you up for a deposition and might you get a call  
7 from the lawyers. That was good maybe four, five months  
8 back.

9 BY MR. MOHEBBI:

10 Q. Did he tell you why you might be deposed in  
11 this case?

12 A. He said because you are one of the witness,  
13 you are one -- one of the employee of the InfoSpan, and  
14 you have to address if they ask me anything.

15 Q. Did he tell you about any subjects that you  
16 might have to address?

17 A. Not exactly, not specific anything.

18 Q. When you say not exactly, do you -- can you  
19 recall anything, any topic that was discussed in any  
20 conversation you had about this litigation with  
21 Mr. Bajwa?

22 A. He told me that one thing is that how it  
23 was -- just explain that if they have any question  
24 regarding that, you know, how he was working, what was  
25 your job description, and regarding some servers, hand

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1 over. You know, he told me you recall all these and be  
2 there, be ready for you.

3 Q. What service was he referring to?

4 A. The service that we had over to NBD  
5 telecenter.

6 Q. By NBD, you mean -- do you mean Emirates  
7 Bank?

8 A. Emirates Bank, yes.

9 Q. Do you recall the time period that you  
10 handed over these servers?

11 A. I think it was good I think five years,  
12 2009. I think April sometime.

13 Q. Okay. We will get back to that.

14 A. Sure.

15 Q. And there's nothing else that you talked to  
16 Mr. Bajwa about about this litigation?

17 A. No.

18 Q. Did he tell you why InfoSpan was suing  
19 Emirates Bank?

20 A. That I was knowing earlier when -- from last  
21 two, three years that there was a dispute in between  
22 with a bank and InfoSpan, Inc., and that was going on.

23 Q. Were you consulted before InfoSpan filed  
24 this lawsuit?

25 A. No.



1 Q. Okay. Did you discuss your deposition with  
2 Mr. Larry Scudder?

3 A. No.

4 Q. When was the last time you spoke with Larry  
5 Scudder?

6 A. I think maybe two years back.

7 Q. Do you remember what you said to him? I  
8 know it's been a while, but --

9 A. Yeah, nothing, just on the Christmas.

10 Q. So you just called him to wish him a Merry  
11 Christmas?

12 A. Yes.

13 Q. Have you spoke to Mr. Umair Hussain? Do you  
14 know who that is?

15 A. I do spoke to him when I was with InfoSpan.  
16 Used to see him often, but that was again with maybe  
17 five, six -- five, six years back.

18 Q. Did you discuss your deposition or anything  
19 about this case with Dan Johnson?

20 A. No.

21 Q. Do you know Dan Johnson?

22 A. Yes.

23 Q. When was the last time you spoke with him?

24 A. Long time.

25 Q. Is there anybody else from InfoSpan that you

1 spoke with about this litigation or this deposition?

2 A. No.

3 Q. Okay. So it was just Mr. Bajwa and that's  
4 it?

5 A. And the lawyers.

6 Q. And the lawyers? Okay.

7 Did you review any documents to prepare for  
8 this deposition?

9 A. No.

10 Q. No documents? Okay.

11 Okay, I'll be asking you a series of  
12 questions, Mr. Ahmad, not much unlike the ones I've just  
13 asked you.

14 A. All right.

15 Q. I want you to listen carefully, which you've  
16 done so far. And I appreciate that. If you don't  
17 understand a question, please ask me to clarify it.

18 A. Sure.

19 Q. If you do answer the question, however, I'm  
20 going to assume you understood it.

21 A. Yes.

22 MR. SHAW: Well, you can assume that he has  
23 an understanding of it, but it may or may not coincide  
24 with your understanding. He can only answer as he  
25 understands the question.

1 MR. MOHEBBI: Understood.

2 BY MR. MOHEBBI:

3 Q. Your lawyer may make objections for the  
4 record, as he has already. But unless you are  
5 instructed not to answer the question, as he instructed  
6 you earlier, which is typically on the basis of a  
7 privilege, you have to answer the question.

8 Now, when you answer a question, I want your  
9 best answer. I don't want you to guess. I don't want  
10 to speculate.

11 A. Uh-huh.

12 Q. But I'm entitled to your best estimate.

13 A. Yes.

14 Q. That said, this is an informal setting and  
15 it's -- you know, we have the camera, we have the court  
16 reporter, we have the lawyers. But I want you to  
17 realize that the testimony you're giving is under oath  
18 and the same rules apply as if you were giving this  
19 testimony in court.

20 Do you understand that?

21 A. Yes.

22 Q. Okay. And as the court reporter mentioned  
23 initially, she's taking down everything that we're  
24 saying so it's important that we don't talk over each  
25 other.

1 A. Yes.

2 Q. You wait until I ask the question, maybe  
3 give a second for your lawyer to object, and then answer  
4 the question as you understand it.

5 A. Yes.

6 Q. And if you need a break at any time, let me  
7 know. This is not an endurance contest. We're not  
8 trying to -- I know you don't want to be here, but we're  
9 not trying to race.

10 A. Yes.

11 Q. Now, having heard everything that I've just  
12 told you, is there any reason why you can't give your  
13 best testimony today?

14 A. No. I will give my best.

15 Q. Okay. So there's no reason why you can't  
16 give your best?

17 A. Yes.

18 Q. Okay. Are you on any medications or  
19 anything that would cause you to not be able to give  
20 your best testimony?

21 A. No.

22 Q. Okay. Are you aware that Farooq Bajwa was  
23 deposed in this case?

24 A. Yes.

25 Q. Did you speak with him about that



1 deposition?

2 A. Yes.

3 Q. Do you recall what he said about it?

4 A. As I told you earlier that he told me, you  
5 know, that this is -- he told me a little bit about how  
6 deposition work, deposition works in U.S. and he says  
7 very simple and tell them the fact what happened and  
8 that's all.

9 Q. And that's all he told you about his  
10 deposition?

11 A. No, he never told me anything about his  
12 deposition.

13 Q. Okay. Did you ever read the transcript of  
14 his deposition?

15 A. No.

16 Q. Did you discuss his deposition with anybody  
17 else?

18 A. No.

19 Q. Are you aware that Mr. Harry Scudder was  
20 deposed in this case?

21 A. Yes, I came to know yesterday only.

22 Q. Did you read anything in that deposition?

23 A. No.

24 Q. Did you discuss the deposition with  
25 anybody --

1 A. No.

2 Q. -- besides your lawyers?

3 A. No.

4 Q. Were you aware that Mr. Umair Hussain was  
5 deposed in this case?

6 A. No.

7 Q. Did you go to college --

8 A. Yes.

9 Q. -- Mr. Ahmad? Where did you go?

10 MR. SHAW: You will need to wait for him to  
11 finish his question. I know it's hard, but --

12 MR. MOHEBBI: It's difficult. You want to  
13 answer my questions. I get it.

14 BY MR. MOHEBBI:

15 Q. Where did you go to college?

16 A. Back in Saudi. Saudi Arabia.

17 Q. What was the name of the school?

18 A. That was King Saud University.

19 Q. Did you do a four-year degree program or --

20 A. Yes.

21 Q. Okay. What did you study?

22 A. Electrical engineering.

23 Q. Did you graduate?

24 A. Yes.

25 Q. And you graduated in electrical engineering?

1 A. Yes.

2 Q. Did you ever practice electrical  
3 engineering?

4 A. Yes.

5 Q. What did you do right after college?

6 A. I joined GE, General Electric.

7 Q. Where was General Electric located?

8 A. That was in New York, upstate, Schenectady.  
9 Then I moved out to Saudi, different projects in Saudi,  
10 in Dubai, China. I worked for almost five years.

11 Q. Let's start with New York. How long were  
12 you in New York?

13 A. In New York at Schenectady I was there for  
14 trainings for New York headquarters, you know, short  
15 trainings like two month, three months, then moved back  
16 to Saudi and joined one of the site for GE and, you  
17 know, served in different sites in Saudi Arabia, then  
18 moved to China for two months. Then the last job, I was  
19 in Dubai for almost a year, and then I resigned.

20 Q. Okay. What did you do in China for GE?

21 A. Same. I was part of technology transfer of  
22 GE and I was part of that technology. And we were  
23 setting up a power plant there. And I worked there for  
24 two years and then I moved to Dubai.

25 Q. What type of technology transfer were you



1 doing? What were you doing?

2 A. GE were installing their units Frame 9 in  
3 China in different sites. We had three different sites  
4 and they brought their engineers, GE engineers to guide  
5 them in term of technology and in term of do some new  
6 installations, and I was part of that team.

7 Q. What's Frame 9?

8 A. Frame 9 is one of the gas turbine. You  
9 know, GE do the gas turbine for the power plant. A  
10 Frame 9 was --

11 Q. I'm sorry, what? What was that?

12 MR. SHAW: Gas turbine.

13 THE WITNESS: Gas turbine for the power  
14 plant.

15 BY MR. MOHEBBI:

16 Q. Got it. Okay. So you were working in  
17 energy?

18 A. Power energy. Power energy, yes.

19 Q. When you moved to Dubai, you said you left  
20 GE?

21 A. Yes.

22 Q. Where did you go?

23 A. I was running my own business called, as I  
24 told you, Noble Insurance as part of Noble International  
25 Group. I started my own business and for that reason I



1 left GE and started my own business.

2 Q. Why did you choose Dubai?

3 A. Because in term of business because that was  
4 the opportunity I was having there and that was the  
5 market other than Saudi, which I was targeting, and  
6 that's why I started Dubai.

7 Q. What did your -- what did Noble Insurance  
8 do?

9 A. We do insurance brokerage and consultant.  
10 We have been in the market for last ten years and we do  
11 the brokerage business for the whole region for UE and  
12 even for Middle East.

13 Q. You said that your Noble Insurance was part  
14 of Noble International.

15 A. Group.

16 Q. So you were -- you started a franchise,  
17 essentially?

18 A. No. Noble Insurance was one of the business  
19 which I started first, and then later on we added Noble  
20 International Trading, in the trading business. And  
21 then last, we had a shipping business now. These three  
22 business under that Noble International Group.

23 Q. And are you the sold shareholder of all --

24 A. No, I'm --

25 Q. -- these businesses?

1 A. I'm one of the partner.

2 Q. Who else is a partner?

3 A. I got partners. I got the working partners  
4 who run the shows. Like insurance, I have one partner  
5 out from India. He runs the full-time show and he's  
6 insurance guru. Same thing for the trading. I have  
7 another guy, he runs the trading business and I'm part  
8 of it. And same the same thing for the shipping. I  
9 have a guy out from Saudi. He's into insurance shipping  
10 business and we are partners together.

11 Q. And you've been working or you have been  
12 involved with Noble Insurance for the past ten years?

13 A. Yes.

14 Q. And has it ever -- have you ever left or  
15 taken a leave of absence?

16 A. Sorry, I don't get you again.

17 Q. Have you ever left the company or taken a  
18 leave of absence?

19 A. No. But in Dubai, it's a different way of  
20 working. I'm like -- obviously, I'm one of the owner,  
21 one of the director. You know, my role is more into  
22 business development or more into corporate affairs and  
23 local support and all that. I don't have to be there  
24 full-time. I travel a lot and, you know, whenever is  
25 required, I -- I just take a break or, you know --

1 Q. Do you have a physical office?

2 A. Yes.

3 Q. Where's it at in Dubai?

4 A. We got in Dubai, we got in Charga. That's  
5 very close to the airport, opposite to the City Center.

6 Q. Do you hold any licenses or certifications?

7 A. Yes.

8 Q. Can you please tell me what those are?

9 A. For every license, every company, we have a  
10 commercial trade license which states about the  
11 activity, which states about the shareholding.

12 Q. What about related to engineering?

13 A. No. I do have a small operations in Saudi.  
14 We call it again Noble International Contracting where  
15 we do same electromechanical jobs where my engineering  
16 experts get involved, but not in Dubai.

17 Q. And it's called Noble as well?

18 A. Noble International Construction.

19 Q. Is that under the Noble International  
20 umbrella?

21 A. Yes.

22 Q. And how is that related to your insurance  
23 business?

24 A. No, what happened, Noble International  
25 Group, I -- I have the majority shareholder on Noble



1 International Group. And it's not like a holding  
2 company but we call it Noble International Group, which  
3 have different activities, different license, different  
4 partners. But for all the license, I am -- I'm the  
5 majority shareholders and then I have the working  
6 partners. They handle the operations and day-to-day  
7 operations and everything.

8 Q. Okay. Have you ever done any computer  
9 engineering or --

10 A. No.

11 Q. -- work on computers?

12 A. I work on computers. I'm good in Word and  
13 Excel, but not any engineering or -- no qualification or  
14 computer engineering.

15 Q. You don't have any source code experience?  
16 You don't work in source code?

17 A. No.

18 Q. Have you ever worked in source code before?

19 A. No.

20 Q. Do you know how to read source code?

21 A. No.

22 Q. Okay. Are you familiar with InfoSpan,  
23 Incorporated?

24 A. Yes.

25 Q. Can you tell me what it is?

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1 A. InfoSpan, Incorporated in the U.S. or --

2 Q. In the United States, correct.

3 A. I know that -- that's one of the corporate  
4 where Mr. Farooq Bajwa is one of the shareholder, that's  
5 all. And they are into different IT business, that  
6 much.

7 Q. Do you know what type of IT businesses that  
8 they're in?

9 A. Not in detail. They're into some computer  
10 trading and call center business, and that's all.

11 Q. Let's start with the computer trading. What  
12 do you mean by computer trading?

13 A. Not in detail I know anything, but as I hear  
14 that they are working with IBM or Toshiba or, you know,  
15 things like that, but don't know exactly what their  
16 operations are.

17 Q. So they work with IBM and Toshiba to trade  
18 computers?

19 A. No idea on that. No comments. But I just  
20 came to know that they are IT-based and they were having  
21 some relation with IBM or Toshiba. But exactly, I don't  
22 know. Maybe it's InfoSpan or part of Mr. Bajwa  
23 companies or something. But they have some IT  
24 background.

25 Q. Do they do service contracting for IBM?

1 A. No idea, no.

2 Q. Okay.

3 A. I don't know.

4 Q. And you're not aware of any other work that  
5 they do in the computer realm?

6 A. No.

7 Q. Are you familiar with -- sorry, let's go  
8 back to the call center work. You mention that had they  
9 also do call center work. Do you know anything about  
10 that?

11 A. Already, but I know in the past, InfoSpan --  
12 again, I don't know exactly InfoSpan or any of  
13 Mr. Bajwa's company, but they were into call center  
14 business in the past. That, I know. And maybe it's  
15 InfoSpan or another company of his group, but they were  
16 into call center business, that's all.

17 Q. Okay. What do you mean when you say "call  
18 center business"?

19 A. They have like call centers where they do  
20 services to the -- maybe to the companies for assisting  
21 them in technical grounds or like that.

22 Q. So as an example, if a large company like,  
23 for example, HP --

24 A. Yeah.

25 Q. -- needs someone to staff tech support on a

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1 call line, is that the type of work InfoSpan did?

2 A. I can't say. But as I -- as in our part of  
3 the world, "call center" means like assisting somebody  
4 on the phone. Let's say HP or any other company, they  
5 need any support on the technical support or in term of  
6 any troubleshooting on the PC or any other machine, that  
7 we know of what call center is. But I don't know  
8 exactly what InfoSpan was doing. I don't know about  
9 that, but in just call center.

10 Q. Okay. Did you work at any InfoSpan entity  
11 at any point?

12 A. Yes. InfoSpan, Inc. or Gulf?

13 Q. Any InfoSpan entity.

14 A. At InfoSpan Gulf in Dubai, yes.

15 Q. That was the only entity you worked for?

16 A. Yes.

17 Q. How did you find out about that job?

18 A. With Mr. Farooq in Dubai. And, you know,  
19 that will -- the starting, and I was part of them and  
20 then I got this job because I'm there locally, I'm from  
21 there, I speak fluent Arabic, and I know the -- you  
22 know, have good relation with the local support and  
23 everything wherever I started with InfoSpan Gulf Dubai.

24 Q. So you said Mr. Bajwa reached out to you.  
25 Did you reach out to him? How did you find out about



1 the job is my question.

2 A. I came to -- he came to Dubai and with one  
3 of my reference just met him and that way, we started.

4 Q. Where did you meet him?

5 A. In Dubai in Fairmont Hotel.

6 Q. Can you explain a little bit more in detail  
7 the circumstances of how you came to meet him?

8 A. He came to Dubai and one of my reference  
9 friend told me that one of his friend is coming and if  
10 you need any support or local support, just meet him.  
11 And obviously, meet him the first time and, you know,  
12 second time, third time. And the time comes when, you  
13 know, they were moving with their project and they asked  
14 me that we need support from your side for some local  
15 support in term of, you know, logistics and all the --  
16 and then that time and they offer me to be their vice  
17 president coordination. And that time, I join them.

18 Q. I'm going to start from the -- I'm going to  
19 try to unpack what you just said.

20 A. Yes.

21 Q. You said you had a friend that you knew --

22 A. Yes.

23 Q. -- that knew Mr. Bajwa. Who was that  
24 friend?

25 A. Friend of mine in Saudi.



1 Q. Do you know what his name was?

2 A. Yes, Ayub Mushdaq.

3 Q. Can you spell that?

4 A. It's A-Y-U-B, space, Mushdaq, M-U-S-H-D-A-Q.

5 Q. All right. Do you know how Mr. Mushdaq knew  
6 Farooq?

7 A. No idea, but I think they -- they know some  
8 family friends or -- I don't know exactly what relation  
9 they have, but they know each of them from -- he's also  
10 from Pakistan. Some family friends and everything.

11 Q. He's never talked to you about how he knows  
12 Farooq?

13 A. I never ask him. He say he's one of my good  
14 friend and he's coming to Dubai and try to assist him.  
15 Obviously it was not intention from day one to get a job  
16 or do a relationship, it was just support, help, that  
17 someone is coming to Dubai and just to assist him, to  
18 help him out, and end up having a job with him.

19 Q. That first time you met with Farooq, that  
20 was at the Fairmont Hotel, you said?

21 A. Yes.

22 Q. Do you remember what Farooq -- what he said  
23 to you on that first meeting?

24 A. Nothing, just introduction and, you know,  
25 how are you and gave me the reference. And I just ask

1 him if he need any support, any -- anything in term of  
2 some car or something, you know. And we just came to  
3 know each other, that's all.

4 Q. What do you mean by "reference"?

5 A. Well, I introduced myself to him, that we  
6 met Mr. Ayub, asked me to come down and if you need any  
7 support, any -- any help, you know, if you need any car  
8 or anything. And he said no, no issue is -- nothing is  
9 required and that how when we came to know each other.

10 Q. Did he explain to you about his business in  
11 that meeting?

12 A. No.

13 Q. Did he explain to you about any of his ideas  
14 of wanting to do business in Dubai?

15 A. Not in the first meeting.

16 Q. So the first meeting was purely friendly?

17 A. Yes.

18 Q. And you just met him --

19 A. Yes.

20 Q. -- and got some background; right?

21 A. Yes, yes.

22 Q. What about the second meeting?

23 A. Same. No discussion about business or  
24 anything.

25 Q. Where was the second meeting at?

1           A.     It was always at Fairmont Hotel. But  
2 Mr. Farooq used to live there whenever he comes to Dubai  
3 and it was always in Fairmont Hotel.

4           Q.     You said Mr. Farooq used to live there when  
5 he came to Dubai. Did he have an apartment at the  
6 Fairmont Hotel or was the it a room that he rented?

7           A.     Normally, rent a room.

8           Q.     How long would he typically stay in Dubai  
9 for, approximately? To the extent you can answer.

10          A.     Depends. Sometime he stay for a week and  
11 then he goes away and sometime -- that I'm talking about  
12 early days when the business concept was not there, or  
13 maybe he was starting the business. I was not aware of  
14 it. But I know I used to see him that often. But  
15 sometimes used to stay for a week, sometimes two weeks.  
16 Sometime he goes back, sometime he comes back, but  
17 exactly can't specify how long he stay there. But he  
18 used to come and stay there all the time whenever he  
19 comes.

20          Q.     What about the third meeting? Same  
21 question. What did you guys discuss?

22          A.     Same. I think the third meeting there was  
23 no any such discussion about the meeting until when -- a  
24 time comes when Mr. Farooq felt that he's looking for my  
25 support. I think maybe it was after a month or so.



1 Maybe more, I think. I -- if I tried to recall, it was  
2 maybe after you can say three months when he -- when he  
3 thought, you know, he knew about me that, you know --  
4 you know, I know about the -- the culture, I know about  
5 all the local logistics. And that time when he request  
6 me that, you know, if he want to join me full-time, and  
7 I told him no, I can't join him full-time. Whenever my  
8 support is required, I will be available.

9 Q. Did he tell you about InfoSpan, this  
10 company?

11 A. Yes, that time he told me when he offered me  
12 to come and join.

13 Q. What did he tell you?

14 A. That we are a company, we're into, you know,  
15 different businesses, as I told you, we're into call  
16 center business, we're into -- in the past he was saying  
17 he was working with some businesses with IBM or Toshiba.  
18 You know, he introduced himself that, you know, we are  
19 coming over from U.S. and, you know, and we're trying  
20 to -- then he explained me about his plan, what he want  
21 to do in Dubai, and that's all.

22 Q. What was his plan?

23 A. It -- it was not specific. It was not even  
24 in -- in brief, he said that we want -- we're trying to  
25 do some -- you know, some financial services. We want



1 to -- might have a -- call centers, you know, worldwide.  
2 He just gave me a run down about what business are they  
3 doing and what they are planning to do here. And it was  
4 mostly give me idea about they want to do some financial  
5 services with the banks and, you know, with the  
6 different institutes.

7 Q. Did he mention which banks he wanted to do  
8 work with?

9 A. That time, I think he was not working with  
10 Emirates NBD. He was trying out to meet different  
11 banks. He was not specific with any one bank.

12 Q. Any -- you said he mentioned he wanted to do  
13 call center work in Dubai as well?

14 A. He called it financial technical call center  
15 or something like that.

16 Q. Did he explain any more detail what type of  
17 call center that was?

18 A. No.

19 Q. Did you ever come to know of an  
20 understanding of what type of call center work he wanted  
21 to do?

22 A. I had a basic idea, not in detail, how the  
23 technology works and everything. But I do have a basic  
24 idea.

25 Q. What's your basic idea?

1           A.     It was like -- basically, you know, it was  
2     supporting through a financial call center to the banks  
3     where they can do some bank transfers, similar model  
4     like Western Union or something like that.

5           Q.     I'm going to try to pin some dates on these  
6     things we just discussed. Going back to the beginning,  
7     you said your friend Ayub --

8           A.     Yes.

9           Q.     -- introduced you to Farooq. Do you know  
10    about what date that was?

11          A.     Don't remember that.

12          Q.     Do you remember what year?

13          A.     I think it was sometime 2006.

14          Q.     Was it --

15          A.     Yes.

16          Q.     -- the beginning of the year or the end of  
17    the year?

18          A.     I don't remember that.

19          Q.     Okay. What about your first meeting with  
20    Farooq?

21          A.     First meeting with Farooq was -- as I told  
22    you, I was in the hotel.

23          Q.     No, I mean the date.

24          A.     No, don't recall that.

25          Q.     Was it also in 2006?

1 A. Yes.

2 Q. Do you recall if it was at -- if you split  
3 2006 up into two six month increments, was it in the  
4 first six months or the second six months?

5 A. I think it was -- I don't recall that.

6 Q. So you don't recall any time in 2006 when  
7 the meeting with Farooq was?

8 A. Well, it was in 2006. It was couple of  
9 times. But I think -- four, five. I think it was end  
10 of the year.

11 Q. Do you remember when the -- and the last  
12 meeting was also in 2006?

13 A. The last meeting?

14 MR. SHAW: Do you mean the last meeting of  
15 which?

16 MR. MOHEBBI: I'm sorry, the third meeting  
17 that we just discussed.

18 A. Yes, 2006.

19 BY MR. MOHEBBI:

20 Q. Okay. And just to clarify, all of these  
21 meetings when you were talking to Farooq and introduced  
22 as a business concept those took place over the course  
23 of, you said, three months?

24 A. Yes.

25 Q. And that was all in 2006?



1 A. Yes.

2 Q. After your last meeting with Farooq, did he  
3 follow up about getting you involved in InfoSpan?

4 A. Yes, he followed up and that -- when they  
5 started their operations, and whenever they were looking  
6 for any logistic support or in term of any -- any  
7 support related to common jobs and everything, that when  
8 I started and started giving support to all the guys,  
9 like getting their visa sorted out, if they are looking  
10 for any, you know, car support or looking for any -- any  
11 kind of logistic support, that I start providing them.

12 Q. You mentioned getting visas. Is that  
13 something that you -- that was one of your job  
14 responsibilities?

15 A. Yes.

16 Q. What else did you do for the company?

17 A. It was -- I think in -- in term of logistic,  
18 all the support is a -- it's a hotel or it's a apartment  
19 or it's a visa or it's a ticket, you know, or any  
20 coordination with the local authorities in term of, you  
21 know, electricity or some banks or anything, you know,  
22 all these local support.

23 Q. Did you have a job title?

24 A. Yes.

25 Q. What was it?

Plt.  
Obj.



1 A. Vice president, coordination.

2 Q. Did your job title ever change?

3 A. No.

4 Q. Other than the duties that you just  
5 mentioned, did you have any other responsibilities at  
6 the company at any point?

7 A. No.

8 Q. And just to clarify, when I say "the  
9 company," you're referring to InfoSpan Gulf, Inc.?

10 A. Yes.

11 Q. InfoSpan Gulf, Inc., is that a Cayman Island  
12 company?

13 A. No, it's Cayman -- there was two, InfoSpan  
14 Gulf Cayman Island and there was InfoSpan Gulf  
15 Dubai-based company also.

16 MR. MOHEBBI: I want to mark as Exhibit 201  
17 a document, the front of which is entitled "InfoSpan  
18 Gulf, Inc. FZCU-FN."

19 (Exhibit No. 201 was marked for  
20 identification.)

21 BY MR. MOHEBBI:

22 Q. Mr. Ahmad, have you seen this document  
23 before?

24 A. Yes.

25 Q. Can you tell me what it is?

Exhibit is a compilation of multiple documents, compound, 1001

Page 38

Plt.  
Obj.:

1 A. I think the first letter is from the bank  
2 regarding opening -- opening of bank account and forming  
3 of the company.

4 Q. Does this look like a true and correct copy  
5 of a document you helped prepare regarding the  
6 registration of InfoSpan Gulf FZCO as a Free Zone  
7 company?

8 A. Yes, sir.

9 MR. SHAW: I object to this as a compilation  
10 of -- I don't know, there's probably 50 pages here, and  
11 there's at least five or six or seven documents.

12 BY MR. MOHEBBI:

13 Q. So was your answer yes?

14 A. The document --

15 Q. This looks like a true and correct copy of  
16 the document?

17 MR. SHAW: Which part of this are you  
18 talking about? The document that is the first page?  
19 The document that is the second page?

20 MR. MOHEBBI: Well, it's a compilation of  
21 documents submitted by the bank, by Emirates Bank, it  
22 looks like, regarding the registration of InfoSpan Gulf  
23 FCC.

24 MR. SHAW: Okay. But the problem I have is  
25 that you're asking a compound question, which is you're

1 asking if this is a true and correct copy of a document  
2 when we have, I don't know, perhaps a dozen documents  
3 here which he hasn't even looked at, much less --

4 MR. MOHEBBI: Okay. Well then let's go  
5 through each page then.

6 BY MR. MOHEBBI:

7 Q. Let's start with the first page. Have you  
8 seen this?

9 A. Yes. This is a bank letter, yes.

10 Q. So you've seen this document before?

11 A. Yes.

12 Q. Does it look like a true and correct copy of  
13 this document?

14 A. Yes.

15 Q. Next page. Have you seen this page before?

16 A. Yes.

17 Q. Does it look like a true and correct copy to  
18 you?

19 A. Yes.

20 Q. Next page. Does this look like a true and  
21 correct copy of Larry Scudder's passport?

22 A. Yes.

23 Q. Did you scan this?

24 A. No.

25 Q. Okay. Does this look like a true and



1 correct copy of Mr. Bajwa's passport, EM006879 Bates  
2 number?

3 A. Yes.

4 Q. Next page titled "Account Opening  
5 Verification Checklist Number 1," does this look like a  
6 true and correct copy?

7 MR. SHAW: Again, I'm going to object. It  
8 appears portions of this are cut off in copying, and  
9 it's not clear this is a one-page document.

10 BY MR. MOHEBBI:

11 Q. You can answer the question.

12 A. I have not seen this.

13 Q. You've not seen this? Okay.

14 Have you seen any of these emails from page  
15 EM006881 through EM06882?

16 MR. SHAW: So it's just the two pages?

17 MR. MOHEBBI: Just the two pages, the first  
18 two pages.

19 BY MR. MOHEBBI:

20 Q. Have you seen those emails?

21 A. No.

22 Q. Have you seen the next page, EM006883, which  
23 starts out in the top left-hand corner, "Major  
24 Shareholding (holding more than 5 percent of paid-up  
25 capital)"?



1           A.     I think yes, I've seen it. That was a KYC  
2     from the bank.

3           Q.     Whose handwriting is this on here? Do you  
4     know?

5           A.     No idea. Maybe someone in the bank.

6           Q.     Okay. What about the next page?

7                 MR. SHAW: What page is that?

8                 MR. MOHEBBI: Sorry, that's -- it would be  
9     EM006886, which is a Al Shaheen sign-up sheet.

10    BY MR. MOHEBBI:

11           Q.     Have you seen that?

12           A.     Yes.

13           Q.     Do you know what this document is?

14           A.     Yes.

15           Q.     What is it?

16           A.     This is a bank -- you know, a priority bank  
17     paper just to sign.

18           Q.     Did you fill this out?

19           A.     No.

20           Q.     Did you sign this?

21           A.     Yes.

22           Q.     Where's your signature?

23           A.     On the right in the middle.

24           Q.     Are the signatures to the right and to the  
25     left of yours, are they Farooq and Larry's?

1 A. Yes.

2 Q. The next page, have you seen this, the  
3 document titled "Subject: Company Contact Details"?

4 A. Yes.

5 Q. Let's go to the next page, EM006888. It's  
6 an account inquiry document. Have you seen this?

7 A. No.

8 Q. Next page, this looks like a stamped copy of  
9 Mr. Bajwa's passport. Have you seen this?

10 A. No. Passport copy, I do seen, but about the  
11 stamps, no idea.

12 Q. Okay. What about EM006891?

13 A. No.

14 Q. Just to make this go a little faster, go  
15 through the rest of the document and tell me what pages  
16 that you do recognize.

17 A. 6900, 6901, 6902, 6903, 6904, 6905, 6906.  
18 I'll just tell you the one I -- 6908.

19 Q. The one you what?

20 A. The one --

21 Q. The ones you recognize.

22 A. I've seen -- I've seen them. I'll give you  
23 the names only for that, numbers for that.

24 Q. Okay.

25 A. 6909.

1 Q. Okay.

2 A. 6912.

3 Q. 6912?

4 A. Yes.

5 Q. Okay.

6 A. 6913, 6914, 6915, 6916, 6917, 6918.

7 Q. Okay. All right, thank you. I thank you  
8 for that. I appreciate that. Let's -- let me start  
9 back from the beginning.

10 What is a Free Zone company in Dubai?

11 MR. SHAW: Objection, foundation.

12 BY MR. MOHEBBI:

13 Q. You can answer.

14 MR. SHAW: And it calls for a legal  
15 conclusion.

16 BY MR. MOHEBBI:

17 Q. Do you know what a Free Zone company means  
18 in Dubai?

19 A. Free Zone is just -- just a company. It's a  
20 zone where you just have a company, Free Zone.

21 Q. Do you know what the Dubai Silicon Oasis is?

22 A. Yes.

23 Q. What is it?

24 A. That's one of the Free Zone, Indian  
25 authority where mostly IT-based companies are based out



1 of and they're working over there with IT business.

2 Q. You used the word "Free Zone business."  
3 What do you mean in this context, what Free Zone means?

4 A. Free Zone is like, you know, in the UAE, in  
5 Dubai, you can't do any business without the local  
6 support with the local shareholder in Dubai.

7 If you do any business in Dubai, you need to  
8 have a -- as -- as per law, you need to have a  
9 51 percent local shareholder, a guy from -- local from  
10 Dubai. He -- he will be your shareholder in any case,  
11 51 percent. But if you do it in Free Zone, that's  
12 100 percent owned by the shareholders.

13 Q. Why -- was that the reason that you prepared  
14 this FCO, in other words, to allow InfoSpan Gulf to do  
15 business in Dubai?

16 MR. SHAW: Objection, mischaracterizes prior  
17 testimony, and foundation.

18 BY MR. MOHEBBI:

19 Q. You can answer to the extent you understand.  
20 I'm happy to rephrase the question, though.

21 A. We had the company just to do our, like,  
22 local support, local visas, to have a local office  
23 because without having a local company, you can't  
24 operate in Dubai to have a -- you -- you can't have an  
25 office. You can't have anything.

1 Q. But this was the -- is this the Dubai  
2 company you were referring to, the InfoSpan Gulf that  
3 was in Dubai, this FZCO company?

4 A. Yes.

5 Q. So let's go to, if you don't mind, taking a  
6 look at page EM00690. It's one of the ones that you  
7 said that you recognize.

8 A. 690?

9 Q. 6900.

10 MR. SHAW: That's the share certificate?

11 MR. MOHEBBI: Yes, sir.

12 THE WITNESS: Yeah.

13 BY MR. MOHEBBI:

14 Q. Can you tell me what this document is?

15 A. It's the share certificate.

16 Q. That's -- on the second line is Farooq  
17 Bajwa's name; correct?

18 A. Yes.

19 Q. And it says here 300,000. Is that dirhams?

20 A. Yes.

21 Q. That's UAE currency; correct?

22 A. Yes.

23 Q. And it says the share -- the registered  
24 holder is issued three shares. Is that correct?

25 A. Yes.

1 Q. So Mr. Bajwa had three shares in the FZCO  
2 company?

3 A. Yes.

4 Q. In the amount of 300,000 dirhams?

5 A. Yes.

6 Q. Did he provide that capital?

7 A. Yes.

8 Q. Okay. Go to the next page, please. 6901.

9 Is that your name on the second line, Mr. Zahid Manzoor  
10 Ahmad?

11 A. Yes.

12 Q. Is your middle name Manzoor?

13 A. My middle name is Manzoor.

14 Q. So it says again -- this time, it says one  
15 share. Is that one share of the FZCO?

16 A. Yes.

17 Q. For 100,000 dirhams?

18 A. Uh-huh.

19 Q. Is that 100 -- did you provide that capital  
20 influx?

21 A. Yes.

22 Q. About how much at the time -- and if you  
23 don't know exactly, that's okay. About how much of the  
24 time was the currency conversion rate to U.S. dollars?

25 A. 3.675.



1 Q. I'm sorry?

2 A. 3.675.

3 Q. So this would have been around?

4 A. \$36,000 and -- \$36,750.

5 Q. You put \$36,000 of your own money into the  
6 FZCO?

7 A. To form the company, yes.

8 Q. Did you ever get that money back?

9 A. No.

10 Q. What happened to the money?

11 A. I called the shares. I called the shares,  
12 share of the company.

13 Q. But you -- I mean, to this day, did you ever  
14 receive that money back?

15 A. No.

16 Q. Because the company is -- does it still  
17 exist? Does the FZCO still exist?

18 A. It don't exist but, you know, everything  
19 went into dispute and I have not got anything yet.

20 Q. So this one share of the FZCO is valueless?

21 A. Actually, what happened, we -- we formed  
22 this company, the Dubai company, and after that, I don't  
23 know if you guys have the record or not. Later on, when  
24 we formed the company, we were the shareholders for the  
25 Dubai company. After a month, all the share was -- this

1 company was 100 percent owned by InfoSpan Gulf Cayman  
2 Island and then we withdraw the shareholding and it was  
3 owned by InfoSpan Gulf Cayman.

4 Q. So this was -- let me just try to unpack  
5 that.

6 The FZCO, you said, was owned by InfoSpan  
7 Gulf Cayman Islands?

8 A. Yes.

9 Q. Then why -- why does it say you have a share  
10 in the company?

11 A. To form the company. When we were forming  
12 the company, there was -- from day one there was a plan  
13 that InfoSpan, Inc. Cayman Island will own the company,  
14 will own the full shares. But because of so many legal  
15 formalities was -- was there, like getting all the legal  
16 paperwork from the Cayman Island, all the legalization,  
17 notarization, which was taking a month plus, then  
18 Mr. Farooq agreed that let's form the company and then,  
19 once we have all the legal paperwork, then we will  
20 withdraw the shareholding.

21 Q. So when you started the company, you,  
22 Farooq, and Larry Scudder were the only shareholders in  
23 the FCC at all?

24 A. Yes.

25 Q. Did you transfer those interests to the

1 Cayman Island company, as you refer to it?

2 A. Yes.

3 Q. Do you know about when you did that?

4 A. I think it was after I think a month, month  
5 and a half. I can't specifically say, but it was less  
6 than two months we receive all the legal papers for  
7 Cayman Island because the authorities want all the  
8 papers should be legalized, notarized, and translated in  
9 Arabic from Cayman Island, which was a lengthy process.  
10 We formed the company and then in the span of two  
11 months, all the shareholding was transferred to the  
12 Cayman Island.

13 Q. So when you transferred your shares to the  
14 Cayman Island company, did you receive any of your funds  
15 back?

16 A. No.

17 Q. So did you get a --

18 A. Shareholding in the Cayman Island.

19 Q. Okay. And that was on or about two months  
20 after the 19th of July, 2007 --

21 A. Yes.

22 Q. -- is when the funds were transferred from  
23 the FCC or from you, Farooq, and Larry to the Cayman  
24 Island company?

25 A. Yes.



1 Q. Just to clarify, let's go to the next page,  
2 6902. Is it your understanding that this is  
3 Mr. Scudder's shareholder certificate --

4 A. Yes.

5 Q. -- for 100,000 dirhams?

6 Mr. Scudder had the same deal that you and  
7 Farooq had; correct?

8 A. Yes.

9 Q. Please turn to 6905, please. I want to  
10 clarify. The name -- the signature in the top  
11 right-hand box, that's your signature; correct?

12 A. No.

13 Q. I'm sorry. In the lower left-hand box?

14 A. 690?

15 Q. 6905.

16 MR. SHAW: You mean the lower right-hand  
17 box?

18 THE WITNESS: Yes, the right one is mine.

19 BY MR. MOHEBBI:

20 Q. The top right-hand box?

21 A. Yes.

22 Q. Okay.

23 MR. SHAW: The top right-hand.

24 A. Yes, the top right-hand, yes.

25 BY MR. MOHEBBI:

1 Q. And to the left of your signature is  
2 Mr. Larry Scudder's?

3 A. Yes, sir.

4 Q. And below that is Mr. Farooq's?

5 A. Yes, sir.

6 Q. Do you know what this document right here  
7 is?

8 A. This -- this is a bank specimen of  
9 signature. When you open a bank account, you need to,  
10 you know, make your signature on the signature card.  
11 That's for the bank.

12 Q. At the very top here it says "Attention:  
13 Mr. M.D. Bilal." Do you know who that is?

14 A. No.

15 Q. Take a look at page 6883. This is the  
16 document that, if I'm -- you can correct me if I'm  
17 wrong, please -- you said you recognized but you didn't  
18 know who the handwriting belonged to.

19 A. Yes.

20 Q. Let's go down to the category on the left  
21 that says "Major Suppliers, Clients, and Their  
22 Locations."

23 A. Uh-huh.

24 Q. It says "Emirates Bank: As Technology" -- I  
25 can't read that last word. It seems to say